

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHER DIVISION**

IMANI HATCHER, et al.,

*Plaintiffs,*

v.

Case No. 5:18-cv-11986-JEL-EAS  
Hon. Judith E. Levy

GENESEE COUNTY, et al.,

*Defendants,*

---

**PLAINTIFFS' MOTION TO EXTEND DISCOVERY CUTOFF DEADLINE**

NOW COME Plaintiffs, by and through their Attorneys, MARC J. BERN & PARTNERS, LLP, SOLOMON M. RADNER and EXCOLO LAW, PLLC and respectfully move this Honorable Court for an order extending by sixty days the September 6, 2019, discovery cutoff deadline, and in support thereof, states as follows:

1. This case arises from the poisoning of Plaintiffs, inmates of the Genesee County Jail, with lead as a consequence of Defendants' participation in the switching of the Flint water supply to the Flint River.

2. This Court on March 6, 2019, entered a Scheduling Order (Dkt. No. 20) closing discovery on September 6, 2019, which focused on whether Plaintiffs' water supply was indeed contaminated and what Defendants knew or should have known about that contamination. See Ex. 1, a copy of that order. Defendants contend that Plaintiffs were not exposed to lead because the water service line to the jail is not made of lead, the water tested there for lead did not exceed permissible exposure limits, and bottled water was supplied to the Plaintiffs during the testing.

Therefore, discovery focused on those issues of liability. For the reasons stated below in the brief required by Rule 7.1, Plaintiffs respectfully request that this Court grant the relief requested.

WHEREFORE, for the reasons set forth herein, Plaintiffs, by and through their Attorneys, MARC J. BERN & PARTNERS, LLP, SOLOMON M. RADNER and EXCOLO LAW, PLLC request the Court grant their Motion to extend by sixty days the discovery cutoff date of September 6, 2019.

Dated: September 4, 2019

Respectfully Submitted,

MARC J. BERN & PARTNERS, LLP

/s/ Stephen F. Monroe

Stephen F. Monroe, IL#6305823  
Marc J. Bern & Partners, LLP  
Cook Co. Firm No. 61789  
225 West Washington Street, Suite 2200  
Chicago, IL 60606  
Phone: (312) 894-7941  
Email: smonroe@bernllp.com

EXCOLO LAW, PLLC

/s/ Solomon M. Radner

SOLOMON M. RADNER (P73653)  
Attorney for Plaintiff  
26700 Lahser Road, Suite 401  
Southfield, MI 48033  
Phone: (248) 291-9712  
Email: sradnor@excololaw.com

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHER DIVISION**

IMANI HATCHER, et al.,

*Plaintiffs,*

v.

Case No. 5:18-cv-11986-JEL-EAS

Hon. Judith E. Levy

GENESEE COUNTY, et al.,

*Defendants,*

---

**PLAINTIFFS' BRIEF IN SUPPORT OF THEIR  
MOTION TO EXTEND DISCOVERY CUTOFF DEADLINE**

NOW COME Plaintiffs, by and through their Attorneys, MARC J. BERN & PARTNERS, LLP, SOLOMON M. RADNER and EXCOLO LAW, PLLC and in support of its motion to extend by sixty days the September 6, 2019, discovery cutoff deadline, and in support thereof, states as follows:

1. The undersigned attorney, Stephen Monroe, filed his appearance on May 23, 2019. He manages the Chicago Office of Marc J. Bern & Partners, and during that time was grappling with unforeseen staffing issues with the sudden loss of an associate attorney and legal assistant, increasing his workload to over 65 cases pending across the country. Therefore, he was unable to obtain, review, and propound the tailored discovery requests to Defendants until July 19, 2019, leaving approximately three weeks for review of the answers to determine whether further discovery would be warranted.

2. As of this writing, however, the undersigned has been unable, under Local Rule 7.1, to confer with counsel for Defendants, either on this motion, or on the status of discovery, with the propounded discovery remaining outstanding. Therefore, an extension of sixty days is

necessary to permit conferral between the parties on the outstanding discovery and the scope of any future discovery. The undersigned is hopeful that with that extension, no further court intervention regarding this phase of discovery, including regarding any motion to compel, will be necessary.

WHEREFORE, for the reasons set forth herein, Plaintiffs, by and through their Attorneys, MARC J. BERN & PARTNERS, LLP, SOLOMON M. RADNER and EXCOLO LAW, PLLC request the Court grant their Motion to extend by sixty days the discovery cutoff date of September 6, 2019.

Dated: September 4, 2019

Respectfully Submitted,

MARC J. BERN & PARTNERS, LLP

/s Stephen F. Monroe

Stephen F. Monroe, IL#6305823  
Marc J. Bern & Partners, LLP  
Cook Co. Firm No. 61789  
225 West Washington Street, Suite 2200  
Chicago, IL 60606  
Phone: (312) 894-7941  
Email: smonroe@bernllp.com

EXCOLO LAW, PLLC

/s/ Solomon M. Radner

SOLOMON M. RADNER (P73653)  
Attorney for Plaintiff  
26700 Lahser Road, Suite 401  
Southfield, MI 48033  
Phone: (248) 291-9712  
Email: sradnor@excololaw.com

CERTIFICATE OF SERVICE:

The undersigned certifies under penalties of perjury that he/she served on September 4, 2019, the above motion and brief to the below-listed attorney of record via email.

/s Stephen F. Monroe

---

Michael Edmunds  
Gault Davison, P.C.  
8455 S. Saginaw, Ste. 2  
Grand Blanc, MI 48439  
MEdmunds@EdmindsLawOffice.com